



UNITED STATES PATENT AND TRADEMARK OFFICE

TP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/499,819

02/08/2000

Sivaramakrishna Kuditipudi

FORE-57

1785

7590

10/17/2006

Ansel M Schwartz
One Sterling Plaza
Suite 304
201 N Craig Street
Pittsburgh, PA 15213

EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/499,819	Applicant(s) KUDITIPUDI ET AL.	
	Examiner Douglas B. Blair	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14, 17-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14, 17-23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 14, 17-23 and 25 are currently pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 14, 17-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable U.S. Patent Number 6,304,549 to Srinivasan et al. in view of the Fore-Switch-MIB Definitions paper.

4. As to claim 14, Srinivasan teaches a telecommunication system comprising: S switches, where S is an integer greater than or equal to 3, each switch having a topology database with all configuration information of the S switches, any one switch providing all the configuration information for all of the S switches (col. 7, lines 16-31, the connection servers are interpreted as being the claimed switches, and only the connection servers), the configuration information is defined in a Management Information Base, the switches send configuration information to each other, the switches send SNMP queries to each other to return retrieved configuration information from each other, and the switches respond to the SNMP queried by sending the requested configuration information to the other switches which sent the SNMP queries (col. 2, line 57-col. 3, line 10, though Srinivasan does state that the use of SNMP and MIB's is inefficient, none the less, the use is taught); however Srinivasan does not explicitly teach

Art Unit: 2142

configuration in the Management Information Base including an IP address, a switch name, a software version, and a hardware type.

The Fore-Switch-MIB Definitions paper teaches a Management Information Base containing configuration information including the name of the switch, a software version, and a hardware type (See MIB Groups section).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Srinivasan regarding the topology discovery with the teachings of the Fore-Switch-MIB Definitions paper regarding specific configuration information with in the management information base because the teachings of Srinivasan mention the use of MIB modules such as the Fore-Switch MIB module.

5.

6. As to claim 17, Srinivasan teaches a system wherein the switches attach a systems information group to a nodal information group to propagate the configuration information to the other switches in response to a query (col. 6, line 45-col. 7, line 30).

7. As to claim 18, Srinivasan teaches a system wherein switches have one or more logical nodes (col. 6, line 45-col. 7, line 30).

8. As to claim 19, Srinivasan teaches a system wherein the nodes form a first PNNI group (col. 6, line 45-col. 7, line 30).

9. As to claim 20, Srinivasan teaches a system including a plurality of PNNI groups (col. 6, line 45-col. 7, line 30).

Art Unit: 2142

10. As to claim 21, Srinivasan teaches a system wherein any node of the first PNNI group can provide all the configuration information for the first PNNI peer group (col. 6, line 45-col. 7, line 30).

11. As to claim 22, Srinivasan teaches a method for operating a telecommunications network comprising the steps of: placing configuration information of a first switch of the network into a topology database of the first switch, the configuration information; sending an SNMP query from the second switch to the first switch for configuration information in the topology database of the first switch (col. 2, line 57-col. 3, line 10); and propagating the configuration information of the first switch to a second switch of the network (col. 7, lines 16-31); however, Srinivasan does not explicitly teach configuration including the IP address, the name of the switch, a software version, and a hardware type.

The Fore-Switch-MIB Definitions paper teaches configuration information including the name of the switch, a software version, and a hardware type (See MIB Groups).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Srinivasan regarding the topology discovery with the teachings of the Fore-Switch-MIB Definitions paper regarding specific configuration information with in the management information base because the teachings of Srinivasan mention the use of MIB modules such as the Fore-Switch MIB module.

12. As to claim 23, Srinivasan teaches a method wherein the first and second switches are in a PNNI peer group, and after the propagating step, there is the step of retrieving configuration information for all the switches in the PNNI peer group from the first switch (col. 6, line 45-col. 7, line 30).

Art Unit: 2142

13. As to claim 25, Srinivasan teaches a method wherein a propagating step includes the steps of attaching a system information group having the configuration information from the topology database of a first switch requested by a query to a nodal information group (col. 6, line 45-col. 7, line 30); and propagating the system information group attached to the nodal information group to the second switch (col. 6, line 45-col. 7, line 30).

Response to Arguments

14. Applicant's arguments filed 8/23/2006 have been fully considered but they are not persuasive. Before addressing the applicant's specific arguments the Examiner would like to point out that the claims are interpreted in light of the applicant's specification. In the current application the applicant's specification is very brief and provides few details, giving the Examiner no choice but to interpret the claims broadly.

15. The applicant argues that the use of SNMP in Srinivasan is not compatible with the rest of Srinivasan's teachings. The applicant however is only claiming a generic use of SNMP queries and the applicant's specification does not illustrate any specific implementation details that would not be in any other SNMP implementation so it is unclear how the teachings of Srinivasan do not make the applicant's claimed language obvious.

16. The argument that Srinivasan does not teach a switch having all of the topology information for the rest of the network neglects the applicant's own specification. The only way the applicant's claim language works is in a PNNI peer group, otherwise a switch would have to account for an exponentially increasing amount of data depending on the size of the network. In other words, a switch can only store a finite amount of data so the network must be limited in

Art Unit: 2142

size and the only way the applicant shows limiting a network in size is by using a PNNI peer group. Since Srinivasan teaches a PNNI peer group and the applicant's specification provides no additional implementation details other than using PNNI, it is assumed that any PNNI system would be able to maintain all of the topology information. If the this assumption is not made then the applicant's specification would not comply with 35 USC section 112 1st paragraph.

17. Finally the use of the Fore-Swith Definition paper is not used out of context in the 103 rejection because the applicant's invention does not provide any specific context other than having a management information base that stores this specific information. Since the Fore-Switch Definition paper shows this information in the context of a management information base it makes this information obvious.

18. The Examiner has tried to examine the claims in light of the applicant's specification but given the brief nature of the specification the claim interpretation is rather open. Should the applicant disagree with the statement the Examiner invites the applicant to explain the claim language specifically with reference to the specification.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

Art Unit: 2142

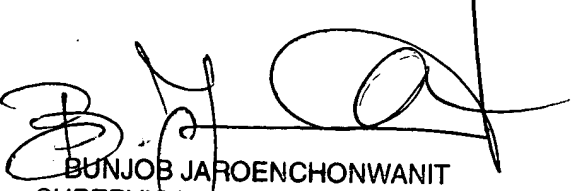
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Douglas Blair
DBB


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER